

# Notice of Allowability

Application No.

10/526,010

Examiner

MARY ZETTL

Applicant(s)

SHIMIZU, MASAKI

Art Unit

2875

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/13/2007.
2. ☒ The allowed claim(s) is/are 35-51.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_.
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 35-51 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 35, prior art fails to teach or make obvious an optical member; a plurality of locking portions; wherein, a light emitting plane of the optical member is parallel to a vertical direction and at least one opening is provided in each of four regions of the optical member that are demarcated by a line parallel to the vertical direction that passes through the center of gravity of the light emitting plane of the optical member and a line parallel to a horizontal direction that passes through the center of gravity, in each of the four regions, a locking portion penetrates a corresponding opening, regardless of which two adjacent regions of the four regions are positioned vertically above with respect to the center of gravity when the lighting apparatus is set, the optical member is suspended by the locking portion penetrating the corresponding opening in a vertically upper and horizontally left region with respect to the center of gravity, and by the locking portion penetrating the corresponding opening in a vertically upper and horizontally right region with respect to the center of gravity, as an upper peripheral portion of each locking portion abuts on an upper-edge portion of the corresponding opening, and in a vertically lower side with respect to the center of gravity of the optical member, each of the locking portions penetrates the corresponding opening such that the optical member is not subjected to the stress caused by its own

weight in the vertically upward direction, nor is it subjected to the stress caused by its contact in the vertically downward direction with the locking portion.

Regarding claim 38, prior art fails to teach or make obvious an optical member having a plurality of openings; and a plurality of locking portions, the lighting apparatus comprising at least four sets of the opening and locking portion that penetrates the opening, wherein, either in a basic position of the lighting apparatus in which a light emitting plane of the optical member is parallel with a vertical direction, or in a first stop position thereof that is taken when the lighting apparatus is rotated from the basic position in the plane of the optical member while the light emitting plane of the optical member remains parallel to a vertical direction, the optical member is suspended by at least one of the sets of the opening and the locking portion that penetrates the opening, as they are engaged with one another in a vertically upper side with respect to the center of gravity of the optical member, and in a vertically lower side with respect to the center of gravity of the optical member, each of the locking portions penetrates a corresponding opening such that the optical member is not subjected to the stress caused by its own weight in the vertically upward direction, nor is it subjected to the stress caused by its contact in the vertically downward direction with the locking portion.

Regarding claim 48, prior art fails to teach or make obvious an optical member having a plurality of cutout portions; and a plurality of locking portions associated with the cutout portions, wherein, a light emitting plane of the optical member is parallel with a vertical direction, the cutout portions are formed in the each end-sides of the optical member at the top, bottom, left, and right of the optical member with respect to the

center of gravity of the light emitting plane, such that the cutout portions can be engaged with the locking portions, and regardless of which of the top, bottom, left, and right end-sides comes at the top when the lighting apparatus is set, the optical member is supported by an upper internal edge of each of the cutout portions in the left and right end-sides of the optical member abutting on the locking portion adapted to be engaged with the cutout portion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARY ZETTL whose telephone number is (571)272-6007. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MZ



SHARON E. PAYNE  
PRIMARY EXAMINER